

EDITORS

"I Couldn't Get Anyone to Arrest Me"

Any reader of the San Francisco *Chronicle* will tell you that Scott Newhall is not one of your milquetoast editors. There was, for instance, the night last February when a gang of white segregationists roughed up one of the paper's photographers covering a meeting about bussing schoolchildren. Next day, Newhall's anger exploded on the editorial page: "As of this moment we do not know the identity of these preposterous boors, but when we find out, the aging executive editor of this newspaper is going to do his best to kick their teeth right through the back of their heads."

Strong stuff for a man who has an artificial leg and a heart condition, and who is not exactly in fighting trim at 55. But he meant it, and as a courtesy to the "social Neanderthals," he listed his office phone number, home address and the usual hour (8 p.m.) he could be found "on the darkened Fifth Street sidewalk at the side entrance to the *Chronicle*." No one showed up.

Tax into License. Just now, Newhall is defying the city of San Francisco to throw him in jail for putting his mouth where his money should be. At issue is a new local ordinance requiring businesses—including newspapers—to pay a tax on their gross receipts, whether they are profitable or not. Such taxes are not unprecedented; they exist in more than half the states. Still, Newhall protests on the grounds that "this tax is a license, and therefore becomes, in effect, a jurisdictional regulation of the press, which has been prohibited by both the United States Constitution and the California Constitution."

The *Chronicle* paid despite his objections, but Newhall is fighting privately as owner of the *Signal*, a small (circ.: 2,265) suburban newspaper outside Los Angeles. Since 30 copies of the *Signal* are sold in San Francisco, Newhall asked the city whether the tax would apply to him. Yes, it would, said the city; it would probably cost about \$3.75 each quarter.

As Newhall tells it: "I talked to the mayor, who said my argument impressed him, and if I would come up with an amendment involving only newspapers, he'd take a fresh look at it. He's a very bright guy and a very good lawyer. At least he says he is. Anyway, the thing dragged on, and finally I just lost patience, and wrote a letter stating I

wouldn't comply. Then I couldn't get anyone to arrest me.

"So I got the head of the copy boys to make a citizen's arrest, and we went to see the sheriff. He said, Go see the D.A. The D.A. said, Go see the police. The police said, Go see the D.A. I had one final recourse: to go before a judge and have the arrest made in his presence. The judge, who was a gentleman, accepted it. My employee swore out some complaints, and I insisted they give me a number, take the fingerprints, and so forth." Newhall finally was promoted his day in municipal court at the end of the month; if he does not get satisfaction there, he will appeal. "I will absolutely carry it as far as I have to," he says.

Even though some of his crusades seem outrageous, Newhall is no Don Quixote. When he and Publisher Charles Thieriot took over the *Chronicle* in 1952, the paper was sobersided and international-minded. Circulation was 155,000, behind two mediocre competitors, and profit-and-loss figures showed only losses. Newhall de-emphasized foreign affairs and accentuated a breezy—and sometimes banal—mixture of splashy local stories and columnists, including San Franciscophile Herb Caen and Art Hoppe, the West Coast's answer to Art Buchwald. One of the paper's series, probing the police department, went so far as to lead with the old saw about the dumb cop who found a dead horse on the corner of Guerrero Street and dutifully dragged it a whole block to Valencia Street because he couldn't spell Guerrero. "We got a new chief out of that series," says Newhall.

Two-line Editorial. Newhall's flamboyance and humor nearly always have a point. When the rival paper, Hearst's *Examiner*, got overrighteously indignant about topless bathing suits, Newhall ran a two-line editorial: "The problem with San Francisco is not topless bathing suits. It's topless newspapers." Mixing up a concoction of baking powder and alcohol and selling it to friends as Spanish fly, he helped finance a small scholarship fund for Mexican students at the University of California. During the *Pueblo* crisis, when Governor Ronald Reagan was urging a 24-hour ultimatum to the North Koreans, Newhall offered to finance the deployment of a battleship—on the sole condition that the Governor be in the landing party.

Though Newhall's *Chronicle* is frequently criticized as lightweight intellectually, the paper's circulation has climbed to 492,000, ahead of the *Examiner* (220,000) and the paper has been profitable since 1962. Newhall takes great pride in survival and dismisses the criticism. "It has been my opinion that the only way we could stay alive was to make the paper at times a seemingly frothy, purely enjoyable experience, but with a strong, serious, liberal viewpoint about world affairs."